

State of Kansas  
Department of Health and Environment

Public Notice Concerning Kansas / Federal  
Water Pollution Control Permits and Applications

State of Kansas  
Department of Health and Environment  
Division of Environment-Bureau of Water  
1000 SW Jackson St., Suite 420  
Topeka, Kansas 66612-1367  
Telephone: (785) 296-6432 - Ag Permits  
(785) 296-5517 - All Others

Public Notice No. KS-AG-18-127/132  
Public Notice No. KS-Q-18-113

Beginning Date: June 21, 2018  
Comments Due: July 21, 2018

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

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**Public Notice No. KS-AG-18-127/132**

**Pending Permits for Confined Feeding Facilities**

<u><b>Name and Address of Applicant</b></u>	<u><b>Legal Description</b></u>	<u><b>Receiving Water</b></u>
Decatur County Beef, LLC Scott Foote 2361 Highway 83 Oberlin, KS 67749	SE/4 of Section 1 T02S, R29W Decatur County	Upper Republican River Basin

Kansas Permit No.: A-URDC-C002

Federal Permit No.: KS0115690

This is a permit re-issuance for an existing facility expanding to a proposed maximum capacity of 45,000 head (45,000 animal units) of cattle weighing greater than 700 pounds. The represents an increase of an additional 5,000 head (5,000 animal units) of cattle from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Fairleigh Feed Yard Fairleigh Feed Yard, Inc. P.O. Box 650 Scott City, KS 67871	All of Section 25 T19S, R34W All of Section 30 T19S, R33W	Upper Arkansas River Basin
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Scott County

Kansas Permit No.: A-UASC-C001

Federal Permit No.: KS0038059

This is a permit re-issuance for an existing facility expanding to a proposed maximum capacity of 80,000 head (80,000 animal units) of cattle weighing greater than 700 pounds. This represents an increase of an additional 12,050 head (12,050 animal units) of cattle from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Gilt Development Unit (GDU)  
N. Terry Nelson  
1304 W. Fox Road  
Long Island, KS 67647

SW/4 of Section 34  
T01S, R20W  
NW/4 of Section 3  
T02S, R20W  
Phillips County

Upper Arkansas  
River Basin

Kansas Permit No.: A-URPL-H013

Federal Permit No.: KS0101389

This is a new permit for a new facility for 13,000 head (5,200 animal units) of swine weighing more than 55 pounds each and 4,000 head (400 animal units) of swine weighing less than 55 pounds. The proposed facility will consist of three confinement buildings, wastewater drainage pipes, two waste storage structures and a recycle system. This facility has an approved Nutrient Management Plan on file with KDHE.

Midway Feeders, LLC  
Mike Berggren  
P.O. Box 99  
Oakley, KS 67748

SE/4 of Section 29  
T10S, R32W  
Thomas County

Smoky-Saline  
River Basin

Kansas Permit No.: A-SATH-C001

Federal Permit No.: KS0115339

This is a permit modification and re-issuance for an existing facility with a proposed maximum capacity of 1,800 head (1,800 animal units) of cattle weighing greater than 700 pounds. Proposed modifications include construction of approximately 4.7 acres of open lot pens and a sediment basin. There will be no change in permitted animal capacity. This facility has an approved Nutrient Management Plan on file with KDHE.

Renner Site  
Nelson Hog Farms, LLC  
P.O. Box 8  
Long Island, KS 67647

SE/4 of Section 18 and  
NE/4 of Section 19  
T04S, R23W  
Norton County

Solomon River Basin

Kansas Permit No.: A-SONT-H001

Federal Permit No.: KS0095893

This is a renewal permit for an existing facility for 7,680 head (3,072 animal units) of swine weighing greater than 55 pounds. There is no change in the permitted number of animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Neosho Valley Feeders, LLC  
Gary Beachner  
26059 Victory Road  
Parsons, KS 67357

All of Section 5 and  
E/2 of Section 6  
T31S, R21E  
Labette County  
S/2 of Section 32  
T30S, R21E  
Neosho County

Neosho River Basin

Kansas Permit No.: A-NELB-C001

Federal Permit No.: KS0041726

This permit is being re-issued for an expanding facility for 20,008 animal units consisting of 20,000 head (20,000 animal units) of cattle weighing greater than 700 pounds and 4 head (8 animal units) of horses. Nine (9) pens on approximately 8.3 acres will be constructed in the west part of the facility. This represents an increase of 2,008 animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

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**Public Notice No.: KS-Q-18-113**

**The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.**

<b><u>NAME AND ADDRESS OF APPLICANT</u></b>	<b><u>RECEIVING STREAM</u></b>	<b><u>TYPE OF DISCHARGE</u></b>
Curtis Capoun 29251 Kuenzli Cr. Rd. Alma, KS 66401	Kansas River via Roberts Creek	Process Wastewater

Kansas Permit No. I-KS57-PO08

Federal Permit No. KS0101346

Legal Description: SW¼, S26, T10S, R11E, Wabaunsee County, Kansas

Facility Name: Arand Quarry

The proposed action is to reissue an existing State/NPDES permit to an existing facility. This facility mines 14-inch Ledge rock used in landscaping and other uses. The proposed permit contains generic language to protect the waters of the state.

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Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision-making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **July 21, 2018**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-18-127/132, KS-Q-18-113) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

**Jeff Andersen**  
**Secretary**  
**Kansas Department of Health and Environment**